



# FREDERICK COUNTY BOARD OF APPEALS

Winchester Hall • Frederick, Maryland 21701 • (301) 600-1138

The next hearing of the Board of Appeals of Frederick County will be held on **July 27, 2023, at the hour of 7:00 p.m.** THIS MEETING WILL BE HELD IN PERSON AT WINCHESTER HALL, 12 E CHURCH ST., FREDERICK MD 21701.

For additional information, please visit <https://www.frederickcountymd.gov/7993/Board-of-Appeals> or contact County staff at (301) 600-1351. The Board will visit each applicant's property prior to the **July 27, 2023, BOA Meeting**. If you prefer to provide public testimony by calling in, the phone number for the BOA Hearing is **1-855-925-2801**. Enter Meeting Code: **9277**. Press \* for meeting options. Press \*1 to listen to the meeting. If you would like to make a live comment on a particular agenda item, please use option 1 until the Board of Appeals specifically calls for comment on that agenda item, at which time press \*3. You will be placed in a muted queue until it is your turn to speak. Do not press \*3 until public comment is called for by the BOA Chair for the agenda item on which you would like to comment. **PLEASE NOTE, when you are called upon to provide your live comments please press \*3. To leave a recorded comment Press \*2 to record your comment.** Please clearly indicate on which agenda item you are commenting on. Please state your name and address but do not identify your phone number, as your message will be played during the live meeting.

## I. Introduction

## II. Approval of Minutes for June 22, 2023, BOA Hearing

## III. BOA Member Elections

## IV. General Discussion of Meeting Guidelines

## IV. Case For Review

## V. [B-23-04](#) B274872 Telconservices (QLoop)

Requesting approval of a Special Exception to allow Activity within a Floodplain under Section 1-19-9.110 Activities within Floodplain District and Section 1-19-9.120 Procedures for Activities Within the FEMA Floodplain. The applicant is seeking approval from the Frederick County Board of Appeals for activities within 3 areas designated as Floodplain Districts, wetlands, or flooding soils under the Frederick County Code Section 1-19-9.110. The applicant has already obtained all required MDE and USACE approvals as required under Section 1-19.9.110(A)(1) of the Frederick County Code.

Map/Parcel:	Tax Maps 102, 103, 109, 112, 113 Parcels-Multiple
Comp. Plan:	(A) Agricultural/Rural and (NR) Natural Resources
Zoning	(RC) Resource Conservation and (A) Agricultural
Planning Area	Adamstown and Urbana
Water/Sewer Service Area	NPS/NPS
Size:	N/A

**B-23-10****B275149****Kenny Gardner**

Requesting approval for a Special Exception to construct an Accessory Dwelling Unit (ADU) in excess of 1,000 Sq.Ft. in accordance with Sections 1-19-3.210 and 1-19-8.321 of the Frederick County Zoning Ordinance. The ADU is to be located within an existing pole building. The primary dwelling (main home) is 5798 Sq.Ft. with a footprint of 3239 Sq.Ft. The pole building in which the ADU is part of, is 3081 Sq.Ft. The ADU size is 1470 Sq.Ft. This is a one story ADU and the Footprint for the ADU is also 1470 Sq.Ft.

The Property is located at and further described as: 14416 Stottlemeyer, Smithburg, MD 21783=

Map/Parcel:	Tax Map 18, Parcel 151
Comp. Plan:	Agricultural/Rural
Zoning:	(A) Agriculture
Planning Area:	Thurmont
Water/Sewer Services:	NPS/NPS
Size:	14.67 Acres

**B-23-12****B275400****B & R Design Group (Contractor)**

Requesting approval by the Board of Appeals to grant a variance in accordance with Section 1-19-4.220 of the Frederick County Code, Nonconforming Structures. Section 1-19-4.220(C) states that the Board of Appeals may grant a variance to expand a nonconforming portion of an existing nonconforming structure only if the proposed expansion does not:(1) Increase the original footprint of the nonconforming portion of the structure; (2) Extend farther into the required setback(s) than the existing nonconforming portion(s) of the nonconforming structure; or (3) Include the construction of a nonconforming porch, enclosure of an existing nonconforming porch, or the addition of stories on top of a nonconforming porch

The property is located at and further described as 5901 Quinn Road, Frederick MD 21701

Map/Parcel:	Tax Map 78, Parcel 0365
Comp. Plan:	Low Density Residential
Zoning:	(R3) Low Density Residential
Planning Area:	New Market
Water/Sewer Services:	W-5/S-5
Size:	.807 Acres



Tolson DeSa, Zoning Administrator